

May 16, 2006

Ms. Elizabeth Elefther
Docket Clerk
U.S. District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: Frank Pruchnik
vs: Robert Buerkle GmbH & Co.
U.S.D.C. No. 04CV10868 NMG

Dear Ms. Elefther:

We are writing to update you on the status of the above matter.

Plaintiff filed a complaint on April 30, 2004, in U.S. District Court. However, due to the Defendant being a foreign corporation located in Germany, and because Defendant did not waive service of summons as requested in June 2004, service on the Defendant was not obtained until September 23, 2005. Plaintiff then assented to an extension of time until November 18, 2005 for Defendant to answer the complaint.

The parties are now engaged in the early stages of discovery. Plaintiff's deposition has been noticed, but was continued due to scheduling conflicts and is being re-scheduled. Additionally, Plaintiff is in the process of responding to Defendant's written discovery requests.

Plaintiff is filing his Rule 26(a)(1) disclosure with the Court today. Plaintiff has retained an expert, John M. Orlowski, P.E., who has inspected the product involved in Plaintiff's incident. Plaintiff intends to file a motion for counsel to inspect and photograph the product. Plaintiff also intends to conduct depositions of Defendant and witnesses, and otherwise engage in discovery.

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Thank you.

Very truly yours,

/s/ Martin Kantrovitz

Martin Kantrovitz

MK:prt

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to counsel of record for the defendant, James M. Campbell and Christopher A. Callanan, Campbell, Campbell Edwards & Conroy, One Constitution Plaza, Boston, MA 02129, by first-class mail, postage prepaid on May 16, 2006.

by Plaintiffs' Attorneys:

/s/ Martin Kantrovitz

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